



Conflict of Interest Policy Concerning Use of Faculty Authored Instructional Materials

Background and Purpose: The University of Maine recognizes the value of the scholarship produced by faculty and seeks to encourage their continuing contributions across all disciplines.

Textbooks and other instructional materials (e.g., lab manuals, collections of readings) should be assigned based largely on their academic and pedagogical value. Every instructor is responsible for selecting the most suitable textbook(s) and other instructional materials for his or her course. The University recognizes that there may be no single, obvious choice of textbook(s) or instructional materials, and that factors such as availability and price may influence an instructor's selection(s) provided that pedagogical value receives primary consideration.

The purpose of this University policy and procedure is to describe the circumstances under which instructional materials authored or developed by UMaine faculty members and intended for purchase by students in courses they teach as part of the UMaine curriculum and on which they may or may not receive a monetary benefit may be used, and the procedure for obtaining prior approval to assign such instructional materials. This policy ensures that the University is responsive to actual or perceived instances of a conflict of interest, reaffirms the University's commitment to our students, and is consistent with measures taken at institutions of higher education to ensure that ethical standards are observed. When materials authored by faculty is given or loaned to students or otherwise made freely available (e.g., placed on library reserve, or available without fee elsewhere), this policy does not apply.

Policy Statement: The principle of academic freedom allows faculty members to select their own instructional materials. Faculty members are expected to assign course materials that best meet the instructional goals of their courses. Faculty members may conclude that what they themselves have authored will best help students achieve the courses' learning outcomes. The faculty member may or may not realize a monetary benefit from the assignment of such materials, but in all cases an actual or perceived conflict of interest exists. In cases where such instructional material is assigned to students and intended to be purchased, this policy applies and instructors must obtain prior approval.

Although collections of course notes or Powerpoint slides are not normally expected to be reviewed under this policy, this policy does apply if the faculty member receives any monetary benefit from the sale of these items.

Procedure: When a faculty member wishes to assign instructional materials for purchase by students that the faculty member authored or developed in courses she or he teaches as part of the UMaine curriculum on which she or he may or may not receive any monetary benefit, that faculty member shall complete and submit the attached form to the unit's Peer Committee at least 6 weeks

before the end of the semester prior to when the material will be used. When reviewing the faculty member's request, the Peer Committee shall consider the following criteria:

1. How the instructional materials are recognized and used by others in the field;
2. How the instructional materials offer a unique perspective on the topic of study;
3. How the faculty member will disclose to the students to whom they assign the instructional materials the actual or perceived conflict of interest.

The Peer Committee shall evaluate the faculty member's proposed instructional materials against the above criteria and communicate their decision to the department chair, school director or similar (hereafter "unit director") no later than four weeks before the end of the semester prior to when the material will be used. Peer committees may approve a selection of materials for use over multiple semesters. After three years from the initial approval, a re-review by the peer committee is required.

After receiving the decision of the peer committee, the unit director will review the application to be sure all procedures were followed and, if the unit director concurs, approve the request. If necessary, the unit director may ask the Peer Committee for further information. The faculty member shall be informed of the decision of the Peer Committee and the decision of the unit director.

If the unit director disagrees with the Peer Committee decision, or the faculty member wishes to appeal the decision, the appeal will be forwarded to a three person committee. The committee will be composed of one faculty member chosen by the faculty member seeking the approval, the faculty chair of the Academic Affairs Committee of the Faculty Senate, and a Provost designee.

After receiving approval to assign the instructional materials for purchase by students, the faculty member shall inform students during or before the first class in a manner consistent with item 3, above, that she or he may or may not realize monetary benefit from assigning the instructional materials.

UNIVERSITY OF MAINE

Office of the Executive Vice President for Academic Affairs & Provost

POLICIES AND PROCEDURES,

Approved by the Faculty Senate and the Executive Vice President for Academic Affairs & Provost, date.

This policy will be added to the University of Maine Faculty Handbook and posted to the Academic Affairs website.



**Policy Concerning Use of Faculty-Authored Materials
Request Form**

Date: _____

Name of faculty member: _____

Department: _____

Name of text or other material to be assigned: _____

Name of course: _____

Expected number of students enrolled: _____

Semester(s) for which authorization is sought: _____

Please respond to the following questions:

1. Are the instructional materials recognized and used by others in the field? If yes, please explain including examples.

2. Do the instructional materials offer a unique perspective on the topic of study? If yes, please explain.

3. How will you disclose to the students to whom you wish to assign the instructional materials the actual or perceived conflict of interest?

Date of Peer Committee review: _____

Approved: ___ Yes ___ No

Signed: _____

Date of Department Chair review: _____

Approved: ___ Yes ___ No

Signed: _____